

SUPERIOR COURT OF ARIZONA  
MARICOPA COUNTY

CR2007-108027-001 DT

01/16/2008

HON. JOHN R. DITSWORTH

CLERK OF THE COURT  
C. Arvallo  
Deputy

STATE OF ARIZONA

MITCH RAND

v.

ARMANDO MARTINEZ-LOZANO (001)  
DOB: 07/20/1972

CORWIN A TOWNSEND

APO-SENTENCINGS-CCC  
APPEALS-CCC  
AZ DEPT OF CORRECTIONS-PHOENIX  
CITS - CCC SPANISH  
DISPOSITION CLERK-CSC  
RFR  
VICTIM SERVICES DIV-CA-CCC

SENTENCE - IMPRISONMENT AND PROBATION

9:36 a.m.

State's Attorney:	Mitch Rand
Defendant's Attorney:	Corwin Townsend
Defendant:	Present
Interpreter:	Anna Huberman
Court Reporter:	Karen Dawson

Count(s) 1: WAIVER OF TRIAL: The Defendant knowingly, intelligently and voluntarily waived all pertinent constitutional and appellate rights and entered a plea of guilty.

Count(s) 2: WAIVER OF TRIAL: The Defendant knowingly, intelligently and voluntarily waived all pertinent constitutional and appellate rights and entered a plea of guilty.

SUPERIOR COURT OF ARIZONA  
MARICOPA COUNTY

CR2007-108027-001 DT

01/16/2008

IT IS THE JUDGMENT of the Court Defendant is guilty of the following:

OFFENSE: Count 1 (amended) Aggravated Assault  
Class 3 Dangerous felony  
A.R.S. § 13-1203, -1204, -3105, -604, -610, -701, -702, -702.01, -801  
Date of Offense: 02/02/2007  
Dangerous pursuant to A.R.S. § 13-604 - Non Repetitive

OFFENSE: Count 2 (amended) Aggravated Assault  
Class 6 felony  
A.R.S. § 13-1203, -1204, -610, -701, -702, -702.01, 801  
Date of Offense: 02/02/2007  
Non Dangerous - Non Repetitive

AS PUNISHMENT, IT IS ORDERED Defendant is sentenced to a term of imprisonment and is committed to the Arizona Department of Corrections as follows:

Count 1: 10 year(s) from 01/16/2008  
Presentence Incarceration Credit: 347 day(s)  
Aggravated

Community Supervision: Count 1 - Imposed pursuant to A.R.S. § 13-603(I).

IT IS ORDERED suspending imposition of sentence and, under the supervision of the Adult Probation Department (APD), placing the defendant on probation for:

Count 2 Probation Term: 3 years

Upon absolute discharge from prison for a separate offense in Count 1.

Conditions of probation include the following:

Condition 16 - Restitution, Fines, and Fees:

PROBATION SERVICE FEE: Count 2 - \$50.00 per month.

ASSESSMENTS:

Count 2: PROBATION SURCHARGE: \$10.00

SUPERIOR COURT OF ARIZONA  
MARICOPA COUNTY

CR2007-108027-001 DT

01/16/2008

Count 2: Time payment fee pursuant to A.R.S. § 12-116 in the amount of \$20.00.

Payment shall commence on the first day of the second month upon release from supervision of the Department of Corrections, at not less than \$50.00 per month.

All amounts payable through the Clerk of the Superior Court.

The Court will retain jurisdiction over restitution. A restitution hearing is set for 03/19/2008 at 9:00 a.m. in this division. Defendant waives his/her presence.

The Arizona Department of Corrections/Community Service shall notify the Clerk of the Court of Maricopa County of Defendant's release from custody via e-mail cforesponse@mail.maricopa.gov. The Clerk of the Court, upon said notification, shall furnish financial information for a Criminal Restitution Order for Judicial signature for any unpaid monies to date.

Condition 17 - Not consume or drink any substance containing alcohol.

Condition 18 - Not have any contact with the victim(s) whatsoever, unless approved in writing by the Adult Probation Department.

Condition 20 - Not remain in or return to the United States illegally if deported or processed through voluntary departure.

Condition 24 - Participate and cooperate in any counseling or assistance as directed by the APD as noted in the Uniform Conditions of Supervised Probation.

IT IS ORDERED granting the Motion To Dismiss the following: Counts 3 and 4.

Count(s) 1: IT IS ORDERED authorizing the Maricopa County Sheriff to deliver Defendant to the Arizona Department of Corrections.

IT IS ORDERED the Clerk of the Superior Court remit to the Arizona Department of Corrections a copy of this Order or the Order of Confinement together with all presentence reports, probation violation reports, and medical and psychological reports that are not sealed in this cause relating to the Defendant.

Count(s) 2: IT IS FURTHER ORDERED Defendant be released from custody for this count only.

SUPERIOR COURT OF ARIZONA  
MARICOPA COUNTY

CR2007-108027-001 DT

01/16/2008

IT IS ORDERED exonerating any bond previously posted in this matter to the party posting same.

IT IS FURTHER ORDERED that Defendant must submit to Deoxyribonucleic Acid (DNA) testing for law enforcement identification purposes and pay the applicable fee for the cost of that testing in accordance with A.R.S. § 31-281.

The Court is informed that the convicted person is an alien or suspected alien and that a staff member with the Adult Probation Department has conducted the requisite electronic inquiry as to the person's citizenship status and has informed the Court of those findings.

9:52 a.m. Matter concludes.

ISSUED: Order of Confinement - Certified Copy to DOC via MCSO

SUPERIOR COURT OF ARIZONA  
MARICOPA COUNTY

CR2007-108027-001 DT

01/16/2008

Defendant's thumbprint is permanently affixed to this sentencing order in open court.

/ s / HON. JOHN R. DITSWORTH

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JUDICIAL OFFICER OF THE SUPERIOR COURT

(thumbprint)